

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

VIVIAN BURNS,

Plaintiff,

v.

INTERNATIONAL BUSINESS
MACHINES CORPORATION,

Defendant.

Case No. C20-1555RSM

MINUTE ORDER

The following MINUTE ORDER is made by direction of the Court, the Honorable Ricardo S. Martinez, Chief United States District Judge: This case is closed. On January 25, 2022, the Court stated it “will not consider further memoranda or declarations filed in this case that attempt to argue the merits of [Plaintiff’s] dismissed claims.” Dkt. #61 at 2. The Court has denied Rule 59 and Rule 60 motions and a motion for reconsideration filed by Plaintiff. Dkts. #57 and #64. On March 3, 2022, the Court struck Plaintiff’s “2nd Motion for Substantive Due Process and Evidentiary Hearing” as duplicative. Dkt. #66. In that Minute Order, the Court stated it “will continue to strike further filings in this case that attempt to argue the merits of Plaintiff’s dismissed claims or which seek relief that has already been denied.” On March 10, 2022, Plaintiff filed a “Motion for Declaratory Judgment.” Declaratory judgment is not available

1 in this closed case. Plaintiff cites to no rule or law permitting her to seek declaratory judgment
2 given the procedural history of this case. Plaintiff's Motion instead is phrased as a series of
3 questions to the Court about its prior rulings, available post-judgment relief, and discovery issues.
4 The Court cannot provide legal advice and has no obligation to answer these questions. To the
5 extent Plaintiff is seeking relief under Rules 59 or 60 that has already been denied, such request
6 is duplicative. The Court STRIKES this Motion, Dkt #69, as procedurally improper and
7 duplicative. The Court warns Plaintiff that future filings presented for an improper purpose or
8 with frivolous legal contentions may result in sanctions under Federal Rule of Civil Procedure
9 11.
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11 DATED this 10th day of March, 2022.
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14 RAVI SUBRAMANIAN, Clerk

15 By: s/Serge Bodnarchuk
16 Deputy Clerk
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